

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OPTRASCAN, INC.,

Plaintiff,

v.

DANIEL WIESE, et al.,

Defendants.

Case No. 24-cv-07979-PCP

ORDER TO SHOW CAUSE

On March 3, 2025 Plaintiff Optrascan, Inc. filed three notices with the Court related to the issuance of letters rogatory to the appropriate judicial authority of South Africa. Shortly thereafter, the Court advised Optrascan that it should re-file these notices as a motion stating the specific relief it seeks. Dkt. No. 16. Optrascan never filed said motion. Then, on May 1, 2025, the Court held a joint case management conference in this case. This hearing had initially been scheduled for February 18, 2025, but the Court re-scheduled the hearing to May 1, 2025 at Optrascan's request. Neither party appeared at the case management conference, nor did any party file a case management statement.

Pursuant to Rule 41(b), a district court may *sua sponte* dismiss an action for failure to prosecute or comply with a court order. *See Link v. Wabash R.R.*, 370 U.S. 626, 633 (1962); *McKeever v. Block*, 932 F.2d 795, 797 (9th Cir. 1991). But such a dismissal should only be ordered when the failure to comply is unreasonable. *See id.* A district court should afford the litigant prior notice of its intention to dismiss. *See Malone v. United States Postal Serv.*, 833 F.2d 128, 133 (9th Cir. 1987).

Plaintiff Optrascan, Inc. is ordered show cause by May 15, 2025 why this action should not be dismissed for failure to prosecute. Failure to show cause by this deadline will result in the

dismissal of this action for failure to prosecute.

IT IS SO ORDERED.

Dated: May 1, 2025

A handwritten signature in black ink, appearing to read "P. Casey Pitts", is written over a horizontal line.

P. Casey Pitts
United States District Judge